

Constitution of Congregation Adath Jeshurn

Article I - History

This congregation was formed as a congregation by means of a Certificate of Incorporation dated September 1921. Our synagogue is located at 200 Murray Street, corner of Chilton Street, in Elizabeth, New Jersey. The premises were deeded to our congregation by indenture dated January 5, 1927. The deed is registered in the Union County Courthouse, Elizabeth, New Jersey. Since no previous constitution was found, this document shall replace any previous constitution. It is to be noted that the Certificate of Incorporation and this constitution must conform to the New Jersey Statutes Annotated, Title 16, Corporations and Associations, Religious.

Congregation Adath Jeshurun is both the oldest operating synagogue in Elizabeth and the one residing at the same location for the longest period of time.

Article II- Definitions

Section 1. "Communicated" shall be defined as sent by mail, and or transmitted via electronic mail, and or by fax.

Section 2. "Halacha" shall be defined as the dictates of the Written and Oral Law of the Torah, as laid down in the Shulchan Aruch and other recognized orthodox rabbinic authorities.

Article III - Purposes

Section 1. This congregation has been established for the purpose of maintaining and conducting an Orthodox Synagogue, in keeping with Halacha and as further laid down in the following paragraph.

Section 2. At no time shall service be conducted without men and women being separated. This shall be effected by a balcony reserved for the sole and exclusive use of female worshippers or by a tangible physical separation known as Mechitza, that must be halachically acceptable.

Section 3. At no time shall instrumental music be played or caused to be heard during worship on the Sabbath and Holy Days.

Section 4. It is expressly recognized by the founders and members of this congregation that inasmuch as the principles of Orthodox Judaism are based on Divine authority, the rules governing the Divine worship in this congregation are not subject to change by any vote or other action of the membership, board of trustees, officers, or any other of its officials or employees.

Article IV - Membership

Section 1. Any Jew, male or female, who has reached the age of twenty (20) and is of good character shall be eligible for membership.

Section 2. To become a member in good standing, one must:

- a. Pay all dues in a timely manner.
- b. Attend Sabbath and holiday services regularly.

Section 3. In order to vote at meetings, a member must be in good standing for at least one (1) year.

Section 4. It shall be the duty of all members to assist, obey and respect the officers in the discharge of their duties, to respect one another and to avoid all personal or indecorous remarks, in debate or otherwise, whereby the feelings of any member may be hurt and the peace and harmony of this congregation disturbed.

Section 5. A member who violates section 4 may be ejected by the Rabbi, the gabaim, and/ or the president.

Section 6. In case of dispute over status as a member in good standing, the presiding officer at a meeting shall render a decision on membership status. If this is disputed, the issue shall be submitted to the Trustees, who shall render a final and binding decision.

Article V - Dues

Section 1. The amount of the dues shall be determined by a committee appointed for that purpose. The dues are payable annually at such date as determined by a vote of the membership at a scheduled meeting.

Article VI - Meetings

Section 1. The congregation shall meet regularly, on a date to be determined by the trustees.

Section 2. A special meeting may be called by the president, or in his absence by the vice- president. This meeting must be announced by at least ten days notice. Notice shall be by mail and or by electronic mail (e-mail) and or by fax. The meeting's date and time shall be posted in a prominent place in the synagogue.

Article VII - Quorum

Section 1. A quorum for the conduct of official business at a general meeting shall consist of three (3) members, at least one of whom shall be legally qualified to preside.

Section 2. A quorum for the Board of Trustees shall be ten (10) of the Trustees.

Article VIII - Officers

Section 1. The officers of this Congregation shall consist of a president, a vice-president, a treasurer, and a secretary.

Article IX - Procedure for Election of Officers

Section 1. Before the meeting of the congregation, the trustees shall appoint a committee of nomination. This committee shall propose a slate of officers and trustees. This slate shall be communicated to the members at least 14 days in advance of the meeting of the congregation. Additional nominations may be made by members at the meeting.

Section 2. No one may be nominated for any office or for the board of trustees unless he or she has been a member in good standing for at least one year preceding such nomination.

Article X - Election

Section 1. The offices of president, vice president, treasurer, and secretary shall be elected every fifth year at a meeting called for that purpose.

Section 2. The board of trustees shall be elected upon the adoption of this constitution. Thereafter, an election for the board of trustees shall be held only to fill vacancies among the trustees.

Section 3. Candidates who are absent from the election meeting may be elected to office provided that they have notified the congregation in writing of their willingness to accept the respective office if elected. No absentee or proxy ballots will be honored.

Section 4. The presiding officer shall appoint a suitable number of tellers to supervise the voting procedure and to announce the results.

Section 5. Each member in good standing shall be entitled to vote. Voting shall be by closed ballot. When more than one candidate is nominated for an office, the candidate receiving a simple majority of votes shall be deemed elected. If no candidate receives a majority of the votes, the two candidates receiving the largest number of votes shall be balloted upon. The one receiving the majority of votes shall be deemed elected.

Article XI- Installation of Officers

Section 1. The officers shall assume their duties no more than 15 days after the election.

Article XII - Duties and Powers of the Board of Trustees

Section 1. The Board of Trustees shall be composed of eleven (11) members, elected as defined above. Members may sit in on meetings of the trustees, and raise issues as appropriate.

Section 2. The Board of Trustees shall be required to approve of all expenditures exceeding a sum of two thousand five hundred (2500) dollars. A majority vote shall be required to approve such expenditure.

Section 3. All decisions regarding the disposition of significant property of this organization, such as the building or the land of this congregation, shall require an affirmative vote of ten of the trustees.

Section 4. The Trustees shall safeguard the interests of the congregation.

Section 5. Upon a majority vote of the Trustees, the board of Trustees shall be entitled to dissolve itself and call for a new election of Trustees. Trustees may be replaced by a vote of the remaining Trustees.

Section 6. The Trustees shall appoint from among their number a Chairman, who shall preside at meetings of the Board of Trustees. He shall see that the bylaws and standing rules of the congregation and its usages are observed and that the officers discharge their duties faithfully.

Article XIII - Duties and Powers of the President

Section 1. The president shall preside at all meetings of the congregation. He shall see that the bylaws and standing rules of the congregation and its usages are observed and that the officers discharge their duties faithfully. He shall appoint all standing and special committees.

Section 2. He shall preserve order at the meeting and put to vote all proper motions.

Section 3. He shall not vote except in the case of election of officers. On other matters, he shall cast the deciding vote in case of a tie.

Section 4. He shall have the power to authorize the expenditure of a sum not exceeding two thousand five hundred (2500) dollars.

Section 5. The president shall have the power to call a special meeting of either the board of trustees or of the general membership at his discretion.

Section 6. The president shall enforce all rules and regulations for order and decorum in the synagogue during divine services.

Section 7. The president shall have the power to authorize expenditure without prior authorization of the congregation or the board of trustees in an emergency situation.

Article XIV - Duties and Powers of the Vice-President

Section 1. The vice-president shall assist the president in the performance of his duties and shall have the powers of the president in the absence or disability of the president.

Article XV - Duties and Powers of the Secretary

Section 1. It shall be the duty of the secretary to keep accurate records of the business of the congregation. He shall be present at every meeting of the congregation and present all necessary records of his office. He shall deliver all books, papers, notes, and other property under his care to his successor.

Section 2. The secretary shall act as secretary for the board of trustees.

Article XVI - Duties and Powers of the Treasurer

Section 1. The treasurer shall receive all monies for the use of the congregation and give receipt for the same. Within a reasonable time, he shall deposit, in such accounts as the congregation may designate, all monies received by him for the use of the congregation. The duty of deposit may be delegated to such parties as the treasurer desires.

Section 2. He shall pay all expenses that are approved by the trustees or by the president in such cases where the president has power to authorize expenditure.

Section 3. The treasurer shall render a report of transactions carried out by his office when requested by the trustees or by vote of the membership body.

Section 4. The treasurer shall, when required by the congregation, deliver all monies, books, papers, and other property of the congregation in his possession to his successor, or to the trustees, or to the presiding officers, under penalty of law as defined by the statutes of the state of New Jersey.

Article XV - Gabaim

Section 1. There shall be appointed by the president, with approval of the congregation, two (2) gabaim.

Section 2. The gabaim shall be present at services in the synagogue.

Section 3. The gabaim shall have sole power to distribute aliyos and other synagogue honors.

Article XVI - Committees

Section 1. The president shall have the power to appoint a committee for any purpose he deems necessary.

Article XVII - Vacancy of Office

Section 1. In case of a vacancy in an office caused by death, resignation, or otherwise, the congregation shall proceed to elect a replacement in an expeditious manner. This replacement shall serve for the remainder of the term for which the original incumbent was elected.

Article XVIII - The Rabbi

Section 1. The board of trustees shall have the power, by majority vote, to engage or discharge a rabbi, subject to the approval of the general membership present at a special meeting called for that purpose.

Section 2. The trustees shall determine salary and terms of employment.

Section 3. The Rabbi's duties shall include all those traditionally allocated to him.

Section 4. He shall attend the divine services and shall be the authority for all religious aspects of such services, and for all religious functions of the congregation.

Section 5. No person may hold or administer the office of rabbi of the congregation unless he shall have true rabbinical ordination (S'micha) from a recognized Yeshiva or authority. The rabbi shall be a pious and learned man whose conduct and philosophy are consonant with the Shulchan Aruch as interpreted by those who gave him ordination.

Article XIX - The Cantor

Section 1. A cantor(s) shall be hired or appointed by a committee appointed for the purpose, with approval of the membership.

Section 2. The cantor's duties shall include all those traditionally allocated to him.

Section 3. The gabaim and the Rabbi shall determine the cantor's services.

Section 4. The cantor shall be a pious and observant Jew whose conduct and philosophy of life are consonant with the Shulchan Aruch and orthodox in every manner.

Article XX - Employees

Section 1. Other employees may be engaged by a majority vote of the trustees.

Article XXI – Dissolution of the Congregation

Section 1. The congregation and the corporation may only be permanently dissolved by a unanimous vote of both the Board of Trustees and of the general membership, in accordance with the laws of the State of New Jersey.

Article XXII - Amendments

Section 1. This constitution shall be subject to amendment providing that the same has been submitted in writing to the trustees and to the congregation. A meeting for the adoption of amendments shall be held no more than 45 days after the proposal has been received by the trustees. Notification for this meeting shall be communicated to the congregation at least 10 days prior to the meeting date.

Section 2. The following provisions are based on divine law, as recognized by the congregation, and are therefore exempted from section one of this article (article XXII).

Article I

Article II, section 2

Article III, all sections

Article XVII, sections 3 and 5

Article XIX, section 2

Section 3. This constitution shall become law by its passage by a 2/3 majority of the congregation, and shall supercede all existing constitutions of the congregation.